

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Molly Accola et al.

Serial No.:

10/606,577

06/26/03

Group No: Examiner:

1634

Goldberg, J.

Filed: Entitled:

**CFTR Allele Detection Assays** 

# INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 20, 2006

Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

A check for \$180.00 is also enclosed pursuant to 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement after three months as set forth in C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

January 20, 2006 Dated:

Jason R. Bond

Registration No. 45,439

MEDLEN & CARROLL, LLP 101 Howard Street, Suite 305 San Francisco, California 94105 608/218-6900

1634



Filed:

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Group No: Goldberg, J. 06/26/03 Examiner:

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Date: <u>January 20, 2006</u>	By: Warve Ellen Weite

### Sir or Madam:

The citations listed below may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

- U.S. Patent No. 5,614,402
- U.S. Patent No. 5,795,763
- U.S. Patent No. 5,843,669
- U.S. Patent No. 6,090,606
- U.S. Patent No. 6,090,543
- U.S. Patent No. 5,846,717

- U.S. Patent No. 5,985,557
- U.S. Patent No. 5,994,069
- U.S. Patent No. 6,001,567
- U.S. Patent No. 6,235,502
- U.S. Patent No. 6,194,149
- U.S. Patent No. 6,210,884
- U.S. Patent No. 6,183,960
- WO 98/23774
- WO 02/070755A2
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- WO 97/27214
- WO 98/42873
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- Grody, Cutting, et al., Genetics in Medicine 3(2):149-154 (2001)
- Grody and Desnick, Genetics in Medicine 3(2):87-90 (2001)
- Rosenstein and Cutting, Journal of Pediatrics 132(4): 589-595 (199)
- LeGrys, Laboratory Medicine 33(1): 55-57 (2002)
- Wilson, et al., Journal of Pediatrics 132 (4): 596-599 (1998)
- Gregg, et al., Pediatrics 99(6): 819-824 (1997)
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- Rommens, et al., Science 245: 1059-1065 (1989)
- Bobadilla, et al., Human Mutation 19: 575-606 (2002)
- Noone and Knowles, Respiratory Research 2(6):328-332 (2001)

- Rohlfs, et al., Genetics in Medicine 4(5):319-323 (2002)
- Kiesewetter, et al., Nature Genetics 5(3): 274-278 (1993)
- Fujimura, Northrup et al. N Engl J Med., Jan 4, 322(1):61 (1990)
- Lyamichev et al., Nat. Biotech., 17:292 (1999)
- Hall et al., PNAS, USA, 97:8272 (2000)
- Reynaldo et al., J. Mol. Biol. 97: 511-520 (2000)

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated:

Jason R. Bond

Registration No. 45,439

MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105 608/218-6900

PTO/SB/08A (08-03)

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Sheet 1

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known				
Application Number	10/606,577			
Filing Date	06/26/2003			
First Named Inventor	Accola et al.			
Art Unit	1634			
Examiner Name	Goldberg, J.			
Attorney Docket Number	FORS-08167			

Examiner	Cite	Document Number	Publication Date	T DOCUMENTS  Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Bocament Number	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant
		Number-Kind Code <sup>2 (# known)</sup>			Figures Appear
	1	<sup>US-</sup> 5,614,402	03/25/1997	Dahlberg et al.	whole document
	2	<sup>US-</sup> 5,795,763	08/18/1998	Dahlberg et al.	whole document
	3	<sup>US-</sup> 5,843,669	12/01/1998	Kaiser et al.	whole document
	4	<sup>US-</sup> 6,090,606	07/18/2000	Kaiser et al.	whole document
	5	<sup>US-</sup> 6,090,543	07/18/2000	Prudent et al.	whole document
	6	<sup>US-</sup> 5,846,717	12/08/1998	Brow et al.	whole document
	7	<sup>US-</sup> 5,985,557	11/16/1999	Prudent et al.	whole document
	8	US- 5,994,069	11/30/1999	Hall et al.	whole document
	9	<sup>US-</sup> 6,001,567	12/14/1999	Brow et al.	whole document
	10	<sup>US-</sup> 6,235,502	05/22/2001	Weissman et al.	whole document
	11	<sup>US-</sup> 6,194,149	02/27/2001	Neri et al.	whole document
	12	<sup>US-</sup> 6,210,884	04/03/2001	Lizardi	whole document
	13	<sup>US-</sup> 6,183,960	02/06/2001	Lizardi	whole document
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		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3 "</sup> Number <sup>4 "</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T°
	14	WO 98/23774				
	15	WO 02/070755A2				
	16	WO 01/90337A2				L.
	17	WO 97/27214				
	18	WO 98/42873				
-	19	WO9850403				

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Examiner	Date	
Signature	Considered	

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Substitute for form 1449/PTO	Complete if Known			
Substitute for form 1445/1 10	Application Number	10/606,577		
INFORMATION DISCLOSURE	Filing Date	06/26/2003		
INFORMATION DISCLOSURE	First Named Inventor	Accola et al.		
STATEMENT BY APPLICANT	Art Unit	1634		
(Use as many sheets as necessary)	Examiner Name	Goldberg, J.		
theet 2 of 5	Attorney Docket Number	FORS-08167		

Examiner	Cite	Document Number	U. S. PATENT DO	Name of Patentee or	Pages, Columns, Lines, Where
Exammer Initials*	Cite No.1	Document Number	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
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		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY		Or Relevant Figures Appear	Τ°
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Substitute for form 1449/PTO	Complete if Known		
Substitute for form 1449/FTO	Application Number	10/606,577	
INFORMATION DISCLOSURE	Filing Date	06/26/2003	
STATEMENT BY APPLICANT	First Named Inventor	.Accola et al.	
(Use as many sheets as necessary)	Art Unit	1634	
(Use as many sneets as necessary)	Examiner Name	Goldberg, J.	
Sheet 3 of 5	Attorney Docket Number	FORS-08167	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	21	Heim, et al., Genetics in Medicine 3(3):168-176 (2001)	
	22	Raman, et al., Pediatrics 109(1): E13 (2002)	
	23	Dumur, et al., Hum Genet 97: 7-10 (1996	
	24	Grody, Cutting, et al., Genetics in Medicine 3(2):149-154 (2001)	
	25	Grody and Desnick, Genetics in Medicine 3(2):87-90 (2001)	
	26	Rosenstein and Cutting, Journal of Pediatrics 132(4): 589-595 (1998)	
	27	LeGrys, Laboratory Medicine 33(1): 55-57 (2002)	
	28	Wilson, et al., Journal of Pediatrics 132 (4): 596-599 (1998)	
**	29	Gregg, et al., Pediatrics 99(6): 819-824 (1997)	
	30	Rock, et al., Pediatrics 85(6): 1001-1007 (1990)	

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Substitute for form 1449/PTO			· ·	Complete if Known		
Substitute for form 1443/1 10				Application Number	10/606,577	
INF	ORMATION	DIS	CLOSURE	Filing Date	06/26/2003	
(Use as many sheets as necessary)				First Named Inventor	.Accola et al.	
				Art Unit	1634	
				Examiner Name	Goldberg, J.	
Sheet	4	of	5	Attorney Docket Number	FORS-08167	

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	31	Kerem, et al., Science 245: 1073-1080 (1989)	
	32	Riordan, et al., Science 245: 1066-1073 (1989)	
	33	Rommens, et al., Science 245: 1059-1065 (1989)	
	34	Bobadilla, et al., Human Mutation 19: 575-606 (2002)	
	35	Noone and Knowles, Respiratory Research 2(6):328-332 (2001)	
	36	Rohlfs, et al., Genetics in Medicine 4(5):319-323 (2002))	
-	37	Kiesewetter, et al., Nature Genetics 5(3): 274-278 (1993)	
`.	38	Fujimura, Northrup et al. N Engl J Med., Jan 4, 322(1):61 (1990)	
	39	Lyamichev et al., Nat. Biotech., 17:292 (1999)	
	40	Hall et al., PNAS, USA, 97:8272 (2000)	

Examiner	Date	
Signature	Considered	

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				Art Unit	1634	
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	41	Reynaldo et al., J. Mol. Biol. 97: 511-520 (2000)	
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